



United States of America

VS

Case No.: 1:19-CR-00230-7

HOWARD FREEMAN EARL, JR.

MOVANT / PETITIONER

MOTION TO REDUCE CRIMINAL HISTORY STATUS POINTS UNDER TITLE 18 USC 3582 (C)(2) AND USSG 1B 1.10

COMES NOW HOWARD FREEMAN EARL, JR. movant / petitioner pro se requesting adjustment of criminal history status points pertaining to Amendment 821 Part A. HOWARD FREEMAN EARL, JR. movant / petitioner is eligible for this reduction because of the 7 point criminal history total score included with the two point enhancement for being on state probation during the instant offense. As a result of this reduction, movant's / petitioner's criminal history category, will be reduced from Category 4 (7-9 pts) to Category 3 (4-6 pts), with the 1 point reduction of Amendment 821 Part A of 7 points or more. However, once the one point reduction is applied, movant / petitioner will be scored with 6 criminal history points, which then constitutes the "additional" 1 point being removed for an additional two points total due to the new Amendment 821 stating, "6 points or less" will be reduced by two points resulting in movant's / petitioner's criminal history total score now being "5 points", which is Category 3. Movant / Petitioner is requesting that this Honorable court apply this new Amendment 821 correctly in this case.

Executed on November 5th, 2023

I declare (or certify, verify, or state) under penalty of perjury, that the foregoing is true and correct to the best of my knowledge and belief.

THANK You for your time, Respectfully Submitted.

HOWARD FREEMAN EARL, JR.

34905-057

PRO SE MOVANT/PETITIONER

FCI RAYBROOK

P.O. Box 900

RAYBROOK, NEW YORK 12977

H. O. E. Jr.